**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG**

UNITED STATES OF AMERICA,

v.   **Criminal No. 3:20-MJ- 127**

TIMOTHY JOHN WATSON,
                         Defendant.

<u>**MOTION FOR PRETRIAL DETENTION**</u>

The United States moves for pretrial detention of defendant pursuant to 18 U.S.C. Section

3142(e) and (f).

1. Eligibility of Case.   This case is eligible for a detention order because the case

involves (check all that apply):

_____   a crime of violence, a violation of section 1591, or an offense listed in
               section 2332b(g)(5)(B) for which a maximum term of imprisonment of 10
               years or more is prescribed;

_____   an offense for which the maximum sentence is life imprisonment or death;

_____   an offense for which a maximum term of imprisonment of ten years or
               more is prescribed in the Controlled Substances Act (21 U.S.C. 801 et
               seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et
               seq.), or chapter 705 of title 46;

_____   any felony if such person has been convicted of two or more offenses
               described in subparagraphs (A) through (C) of Title 18 U.S.C. Section
               3142(f)(1), or two or more State or local offenses that would have been
               offenses described in subparagraphs (A) through (C) of this paragraph if a
               circumstance giving rise to Federal jurisdiction had existed, or a
               combination of such offenses; or

__X__   any felony that is not otherwise a crime of violence that involves a minor
               victim or that involves the possession or use of a firearm or destructive
               device (as those terms are defined in section 921), or any other dangerous
               weapon, or involves a failure to register under section 2250 of title 18,

United States Code;

__X__ Serious risk defendant will flee;

__X__ Serious risk obstruction of justice

2.   Reason for Detention.   The court should detain defendant because there are no

conditions of release which will reasonably assure (check one or both):

__X__   Defendant's appearance as required

__X__   Safety of any other person and the community

3.   Rebuttable Presumption.

A rebuttable presumption arises that no condition or combination of conditions will

reasonably assure the safety of any other person and the community because:

_____   a) the defendant has been convicted of a Federal offense that is described
in Title 18 U.S.C. Section 3142(f)(1), or of a State or local offense that
would have been an offense described in subsection (f)(1) of this section if
a circumstance giving rise to Federal jurisdiction had existed; b) the
offense was committed while the defendant was on release pending trial
for a Federal, State, or local offense; and c) a period of not more than five
years has elapsed since the date of conviction, or the release of the
defendant from imprisonment, for that offense whichever is later.

A rebuttable presumption arises that that no condition or combination of conditions will

reasonably assure the appearance of the person as required and the safety of the community

because the defendant committed:

_____   an offense for which a maximum term of imprisonment of ten years or
more is prescribed in the Controlled Substances Act (21 U.S.C. 801 et
seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et
seq.), or chapter 705 of title 46;

_____   an offense under section 924(c), 956(a), or 2332b of this title;

_____   an offense listed in section 2332b(g)(5)(B) of title 18, United States Code,
for which a maximum term of imprisonment of 10 years or more is
prescribed;

_____   an offense under chapter 77 of this title for which a maximum term of

imprisonment of 20 years or more is prescribed; or

_____ an offense involving a minor victim under section 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1), 2252(a)(2), 2252(a)(3), 2252A(a)(1), 2252A(a)(2), 2252A(a)(3), 2252A(a)(4), 2260, 2421, 2422, 2423, or 2425 of this title.

4.   Time for Detention Hearing.   The United States requests the court conduct the

detention hearing

_____   At first appearance

___X___   After continuance of __3__ days (not more than 3)

5.   Other Matters: _____

DATED this 3rd day of November, 2020.

_/s/ Jarod J. Douglas_____
Jarod J. Douglas
Assistant United States Attorney